

REMARKS

The claims have not been amended. Accordingly, claims 1-2, 4-14, and 18-26 are currently pending in the application, of which claims 1, 8, 11 and 18 are independent claims

In view of the following Remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 103

To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 82 USPQ2d 1385, 1396 (2007). Thus, even if the prior art may be combined, the references when combined must disclose or suggest all of the claim limitations. *See in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 1, 2, 4, 8-14 and 18-26 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2002/0111167 applied for by Nguyen *et al.* ("Nguyen") in view of U.S. Patent No. 6,493,431 issued to Troen-Krasnow, *et al.* ("Troen-Krasnow"). Applicant respectfully traverses this rejection for at least the following reasons.

"All of the Claim Limitations"

The cited references do not render the present invention obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of at least independent claims 1, 8, 11, and 18.

Claim 1

Specifically, Applicant respectfully submits that the cited references fail to disclose or suggest all features of claim 1. Claim 1 recites, in relevant part:

a messenger service system ...to send a second notification message to a personal computer, the second notification message to provide notification that the called mobile communication terminal is receiving the incoming message.
(emphasis added)

The examiner concedes that Nguyen "does not specifically disclose sending a second notification message to a personal computer, the second notification message for providing notification that the called mobile communication terminal is receiving the incoming message." Office Action, page 3 (emphasis added).

To remedy the shortcomings of Nguyen, the examiner then looks to Troen-Krasnow, and states that "Troen-Krasnow discloses a message server (messenger) sending a notification message to a called party's personal computer that a call has been received." Office Action, page 3 (emphasis added). This language matches the disclosure of Troen-Krasnow, which states that "the message server 180 sends a notification to the called party that a call has been received (step 350)." Troen-Krasnow, col. 5, lines 1-2. Further, the message server 180 only receives the telephone call if and when "all the telephones 140 in telephone system 130 are busy or the calling party receives no answer." Troen-Krasnow, col. 4, lines 17-20. So even if Nguyen and Troen-Krasnow could be combined, Troen-Krasnow does not remedy Nguyen's

failure to disclose at least "the second notification message for providing notification that the called mobile communication terminal is receiving the incoming message." Rather, in Troen-Krasnow, the notification message indicates that "a call has been received." Thus, Troen-Krasnow fails to remedy at least this identified shortcoming of Nguyen.

For at least these reasons, the cited references do not render claim 1 obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of independent claim 1.

Claim 8

Similarly, Applicant respectfully submits that the cited references, even if combined, fail to disclose or suggest all features of claim 8. Claim 8 recites, in relevant part:

wherein the messenger service system sends a second notification message to a personal computer, the second notification message to provide notification that the called mobile communication terminal is receiving the incoming message.
(emphasis added)

For at least the reasons asserted above with respect to claim 1, Nguyen and Troen-Krasnow, either alone or in combination, fail to disclose at least these features. Specifically, the cited references fail to disclose "the second notification message to provide notification that the called mobile communication terminal is receiving the incoming message" (emphasis added).

For at least these reasons, the cited references do not render claim 8 obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of independent claim 8.

Claim 11

Applicant respectfully submits that the cited references, even if combined, also fail to disclose or suggest all features of claim 11. Claim 11 recites, in relevant part:

a messenger server to send a second notification message to a personal computer corresponding to the IP address,

wherein the second notification message provides notification that a called mobile communication terminal of the called subscriber is receiving an incoming message transmitted to a wireless communication system. (emphasis added)

For at least the reasons asserted above with respect to claim 1, Nguyen and Troen-Krasnow, either alone or in combination, fail to disclose at least these features. Specifically, the cited references fail to disclose "the second notification message provides notification that a called mobile communication terminal ... is receiving an incoming message transmitted to a wireless communication system" (emphasis added).

For at least these reasons, the cited references do not render claim 11 obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of independent claim 11.

Claim 18

Applicant respectfully submits that the cited references, even if combined, fail to disclose or suggest all features of claim 18. Claim 18 recites, in relevant part:

providing notification to a personal computer corresponding to the IP address that the called mobile communication terminal is receiving the incoming message. (emphasis added)

For at least the reasons asserted above with respect to claim 1, Nguyen and Troen-Krasnow, either alone or in combination, fail to disclose at least these features. Specifically, the cited references fail to disclose "providing notification to a personal computer corresponding to

the IP address that the called mobile communication terminal is receiving the incoming message" (emphasis added).

For at least these reasons, the cited references do not render claim 18 obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of independent claim 18.

For at least these reasons asserted above, Nguyen and Troen-Krasnow, either alone or in combination, fail to disclose every feature of claims 1, 8, 11 and 18.

Claims 5-7

Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Nguyen in view of Troen-Krasnow, further in view of U.S. Patent Application Publication No. 2004/0253975 applied for by Shiraogawa, *et al.* ("Shiraogawa"). Applicant respectfully traverses this rejection for at least the following reasons.

Applicant submits that claim 1 is allowable over Nguyen in view of Troen-Krasnow as set forth above, and Shiraogawa fails to cure the deficiencies noted above with regard to claim 1. Hence, claims 5-7 are allowable at least because they depend from an allowable base claim.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1, 8, 11 and 18. Claims 2, 4-7, 9-10, 12-14, and 19-26 each depend from one of these independent claims and are allowable at least for this reason. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claims 1, 8, 11 and 18, and all the claims that depend therefrom, are allowable.

CONCLUSION

A full and complete response has been made to the pending Office Action and all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, all pending claims are allowable and the application is in condition for allowance.

The Examiner is invited to contact Applicant's undersigned representative at the number below if it would expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

/hae-chan park/

Hae-Chan Park
Reg. No. 50,114

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CUSTOMER NUMBER: 58027

H.C. Park & Associates, PLC
8500 Leesburg Pike
Suite 7500
Vienna, VA 22182
Tel: 703-288-5105
Fax: 703-288-5139
HCP/WMH/ebs